

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Peterborough Oil Company, Inc.,
And Diane Clark,
Plaintiffs,

v.

CIVIL ACTION NO. 04-40252-FDS

Great American Insurance Company,
Defendant,

AMENDED JUDGMENT IN A CIVIL CASE

SAYLOR, D.J.

Jury Verdict. This action came before the court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

X **Decision by the Court.** This action came to trial before the Court. The issues have been tried and a decision has been rendered.

IT IS ORDERED AND ADJUDGED: in accordance with the Courts Memorandum and Order entered on 10/28/05, that judgment be entered in favor of plaintiffs as to liability on Count 1; in favor of plaintiffs as to liability on Count 2, provided, however, that any liability for indemnity shall be limited to any separate award for malicious prosecution or any unallocated award that is based, at least in part, on a claim for malicious prosecution; and in favor of defendant as to Count 3. The foregoing is without prejudice as to defendant's right to seek modification of the judgment pursuant to Fed. R. Civ. P. 60(b) should the interests of justice so require

SARA THORNTON, CLERK

Dated: 11/3/05

/s/ Martin Castles
(By) Deputy Clerk

NOTE: The post judgment interest rate effective this date is 4.26 %